

REMARKS

Claims 8, 14 and 19 currently appear in this application. The Office Action of September 14, 2007, has been carefully studied. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicant respectfully requests favorable reconsideration, entry of the present amendment, and formal allowance of the claims.

Rejections under 35 U.S.C. 112

Claims 8 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The language "using, as a main organic dyes compound of said organic dyes compounds, and" in claim 8 is said to be confusing.

This rejection is respectfully traversed. Claim 8 has been amended in accordance with the Examiner's helpful suggestion. Claim 8 has also been amended to delete the fourth paragraph, "wherein said writing light has a wavelength of about 405 nm" and has rewritten the third paragraph to read as follows:

"irradiating a recording layer on a substrate with a laser beam with a wavelength of 405 nm, as the writing light, to form a pit on said substrate,

wherein said recording layer exhibits an absorption maximum at a wavelength longer than the oscillation wavelength of said laser but absorbs said laser beam in a level sufficient to record information in said recording layer."

It is respectfully submitted that this amendment renders claim 8 more clear.

#### Art Rejections

Claims 1, 7, 8 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda et al., JP 11-053758 and Usami et al.'122 in view of Nanba et al., JP 60-204396, Kanno'467 and Ootaguro et al.'882.

This rejection is respectfully traversed.

Claims 1 and 7 have been cancelled, so the rejection with respect to claims 1 and 7 is now moot.

The optical recording method as defined in amended claim 8 is characterized by the following features:

- (i) using a laser beam with an oscillation wavelength of 045 nm as a writing light;
- (ii) writing information on a recording layer with a writing light having a wavelength shorter than an absorption maximum of an organic dye compound contained in the recording layer;

- (iii) the organic dye compound in the recording layer is represented by any one of Formulae 1 to 3. The organic dye compound has an absorption maximum at a wavelength longer than 450 nm, and absorbs light having a wavelength of around 390 to 450 nm. Support for this recitation can be found in paragraph 0026 of the published application submitted with the amendment filed July 16, 2007.
- (iv) The recording layer consisting essentially of a light-resistant improver and the organic dye compound.
- (v) The optical recording material has a recording capacity of over 15 GB per side when formed into a disk 12 cm in diameter.
- (vi) The recording layer has a pit/groove width of below 1 micron/pit at a track pitch of below 1 micron.

It is thus respectfully submitted that the combination of Maeda, Usami, Nanba, Kanno and Ootaguro neither teaches nor suggests an optical recording medium having the above-noted features (i) to (vi).

Maeda teaches feature (i). However, there is nothing in Maeda regarding at least feature (ii). Therefore, Maeda neither discloses nor suggest the claimed optical recording medium.

Usami teaches feature (vi). Usami, however, does not teach features (i) to (v). In particular Usami does not disclose feature (ii). In view of this lack of features (i) through (v). Usami is completely different from the herein claimed invention.

Nanba discloses various kinds of lasers. However Nanba fails to disclose a laser having an oscillation wavelength of 405 nm. Furthermore, it is clear that Nanba teaches nothing about an optical recording medium having the high recording capacity recited in feature (v), because Nanba was published in 1984, which such recording capacity was unthinkable.

In the meantime, the cyanine dyes disclosed in Nanba are said to have an absorption maximum at a wavelength in the range of -40 nm to + 70 nm of the wavelength of the writing light. Therefore, if the wavelength of the writing light is 405 nm, the absorption maxima of the cyanine dyes is located in the range of 365 nm (405 nm - 40 nm) to 475 nm (405 nm + 70 nm) .

In contrast thereto, the absorption maximum of the organic dye compound used in the herein claimed invention is longer than 500 nm. In this regard, the organic dye compound used in the claimed invention is distinct from the cyanine dyes disclosed in Nanba. Claim 8 does not define an organic dye compound to one having an absorption maximum at a wavelength longer than 500 nm, but new claim 19 has this limitation.

Kanno discloses an optical recording medium that writes information with a laser beam having an oscillation wavelength in the range of 500 to 700 nm. In view of this, Kanno lacks feature (i). Moreover, Kanno neither teaches nor suggests feature (ii). It is respectfully submitted that Kanno has nothing to do with the herein claimed invention, and thus there would be no motivation to combine Kanno with the other cited references. Ootaguro teaches nothing about features (i) to (v).

Accordingly, it is respectfully submitted that claims 8 and 14 would not have been obvious over Maeda and Usami in view of Nanba, Kanno and Ootaguro.

Claims 1, 7, 8 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maeda et al. and Usami in view of Nanba, Kanno and Ootaguro, further in view of Kanno et al. GB 23297. This rejection is respectfully traversed.

Claims 1 and 7 have been cancelled, so this rejection is moot with respect to claims 1 and 7. Kanno GB 23297 discloses styryl dyes sensitive to light having a wavelength in the range of 50-0 to 700 nm. The optical recording medium disclosed in Kanno GB 23297 uses as a writing light a laser having an oscillation wavelength in the range of 500 to 700 nm. This disclosure adds nothing to the combination of Maeda, Usami, Nanba, Kanno and Ootaguro. It is therefore respectfully submitted that claim 8 and 14 would not have been obvious over Maeda and Usami in view of Nanba, Kanno and Ootaguro and further in view of Kanno GB 23297.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable reconsideration and withdrawal of all of the rejections are respectfully solicited.

Respectfully submitted,

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